

AMENDATORY SECTION (Amending WSR 00-03-056, filed 1/14/00, effective 2/14/00)

**WAC 296-30-081 What are the general obligations of a provider who provides medical or mental health services to a crime victim?** (1) When treating a crime victim who comes under our jurisdiction, you agree to accept and comply with the department's rules and fees.

(a) (~~(Medical)~~) All providers must comply with this chapter and the department's medical aid rules and fee schedules.

(b) Mental health providers must comply with this chapter, the department's medical aid rules and fee schedules, and the Crime Victims Compensation Programs Mental Health Treatment Rules and Fees.

(2) You must inform the victim of his or her rights under the Crime Victims Act and give whatever assistance is necessary for the victim to apply for compensation and provide proof of other matters required by our rules. Providers may not charge the victim for these services.

(3) Providers are urged to bill on a monthly basis. In order to be considered for payment, bills must be submitted within one year from the date of service, or the date of claim allowance. If private or public insurance exists, bills must be received within one year of the primary insurer's payment decision. You must attach a copy of the primary insurer's explanation of benefits when submitting your bill for payment consideration.

AMENDATORY SECTION (Amending WSR 00-03-056, filed 1/14/00, effective 2/14/00)

**WAC 296-31-070 What are my general obligations as an approved mental health provider?** (1) When treating a crime victim who comes under our jurisdiction, you agree to accept and comply with this chapter, the department's rules, and the Crime Victims Compensation Program's Mental Health Treatment Rules and Fee((s)) Schedule.

(2) You must inform the client they may be entitled to benefits under the Crime Victims Act and provide whatever assistance is necessary for the client to apply for benefits. There is no charge for these services.

(3) It is the responsibility of the client to notify the provider if they believe their condition is related to a criminal act. If you discover a condition that you believe is crime related, you must notify the client. It is your responsibility to determine if you are the first treating provider.

(4) If you are the first treating provider, you must:

(a) Provide crisis intervention as necessary;

(b) Provide instructions or help the client complete their portion of the application for benefits; and

(c) Continue necessary treatment according to our mental health rules if the client remains in your care.

(5) If you are not the first treating provider, you should ask the client if an application for benefits has been filed for the condition.

(a) If an application for benefits has been filed, and you and the client agree that a change of provider is desirable, the department should be notified of the transfer according to WAC 296-31-068.

(b) If an application for benefits has not been filed:

(i) Provide instructions or help the client complete their portion of the application for benefits; and

(ii) Include the name and address of the original provider, if known.

Note:

Providers must determine if the client has public or private insurance benefits available. If there is, the provider should make sure they would be able to continue treating under the client's primary insurance. Crime victims compensation is secondary to other benefits according to RCW 7.68.130.

(6) You must notify us and the client of the date they are released to regular work. Time-loss compensation terminates on the release date. We may allow further treatment if:

(a) You request it;